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disability claim

When you file a disability claim, we review all available evidence (supporting documents) to determine if you're eligible for benefits. Find out what evidence you'll need. And learn about your options for gathering documents to support your claim.

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- → What documents will I need to support my claim?
- → What should the evidence show to support my disability claim?
- → Explore your options for gathering evidence

What documents will I need to support my claim?

We require certain documents to support all claims for disability benefits.

You'll need to submit or give us permission to gather these:

- Your DD214 or other separation documents
- Your service treatment records
- Any medical evidence related to your illness or injury (like doctors' reports, X-rays, and medical test results)

You can also submit lay evidence to support your claim. Lay evidence is written testimony by you or someone who knows about your condition or related events. Anyone can provide lay evidence. This person doesn't need to have any specific training or education. We'll review lay evidence along with any other evidence you submit.

You or someone else can provide lay evidence in any of these ways:

- Write and submit a statement about your situation on a blank piece of paper
- Complete and submit a Lay or Witness Statement (also known as a "buddy statement") (VA Form 21-10210)
 Get VA Form 21-10210 to download (https://www.va.gov/find-forms/about-form-21-10210)
- Complete and submit a Statement in Support of Claim (VA Form 21-4138)

Get VA Form 21-4138 to download (https://www.va.gov/find-forms/about-form-21-4138)

If your records were destroyed in the 1973 NPRC fire in St. Louis

In 1973, a fire at the National Personnel Records Center (NPRC) in St. Louis destroyed records held for Veterans who were discharged from the Army and Air Force during certain periods of time. If your records were destroyed in this fire, you can get help reconstructing them.

<u>Find out how to reconstruct your records (https://www.va.gov/records/get-military-service-records/reconstruct-records)</u>

If you're a service member filing a claim through the BDD program

If you're filing a claim through the Benefits Delivery at Discharge (BDD) program, you must submit these documents:

 Copies of your service treatment records for your current period of service, and A completed Separation Health Assessment - Part A Self-Assessment form

If you already filed a claim but didn't submit a Separation Health Assessment yet, you can upload the form now.

<u>Find out how to upload your completed self-assessment form</u>
(https://www.va.gov/resources/separation-health-assessment-for-service-members)

<u>Learn more about filing a claim through the BDD program</u> (https://www.va.gov/disability/how-to-file-claim/when-to-file/predischarge-claim)

What should the evidence show to support my disability claim?

This depends on the type of claim and on the issue or benefit you're filing a claim for. Find your claim type here to learn what evidence you'll need.

Notice to Veterans and service members of evidence needed: We're required by law to tell you what evidence you'll need to provide to support your disability claim.

The information on this page is a summary of evidence requirements (called "section 5103 notice"). You can review the official evidence requirements in VA Form 21-526EZ.

<u>Get VA Form 21-526EZ to download (https://www.va.gov/find-forms/about-form-21-526ez)</u>

Type of claim you're filing

Find out what evidence you'll need for your claim type:

Original claim—the first claim you file for disability benefits

If you're filing a disability claim for a condition related to your active duty service, you'll need to submit medical or lay evidence that these are true:

- You have a current physical or mental disability, and
- You experienced an event, got injured, or became infected with a disease during your active-duty service, and
- There's a link between your current condition and the event, injury, or disease that happened during your service. Usually we need medical records or medical opinions from health care providers to support this link. We may also accept lay evidence, like a buddy statement (VA Form 21-10210).

In certain situations, we may conclude that there's a link between your military service and your disability even if there's no evidence. This usually applies to:

- A chronic (long-lasting) illness that appears within a year after discharge (https://www.va.gov/disability/eligibility/illnesses-within-one-year-of-discharge), or
- An illness caused by contact with contaminants (toxic chemicals) or other hazardous materials
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure), or
- An illness caused by your time spent as a POW
 (https://www.va.gov/disability/eligibility/former-pows)

If you're filing a disability claim for a condition related to your period of active duty training, you'll need to submit medical or lay evidence that shows these are true:

- You have a current physical or mental condition, and
- You became infected with a disease, or got injured—or your injury got worse—during your training, and
- There's a link between your current condition and the injury or disease that happened during your training. Usually we need medical records or medical opinions from health care providers to

support this link. We may also accept lay evidence, like a buddy statement (VA Form 21-10210).

If you're filing a disability claim for a condition related to your period of inactive duty training, you'll need to submit medical or lay evidence that shows these are true:

- You have a current physical or mental condition, and
- You got injured, or your injury got worse—or you experienced an acute myocardial infarction, cardiac arrest, or cerebrovascular accident—during your training, and
- There's a link between your current condition and the injury, disease, or health event that happened during your training.
 Usually we need medical records or medical opinions from health care providers to support this link. We may also accept lay evidence, like a buddy statement (VA Form 21-10210).

Increased claim—a claim for more compensation for a disability that we've already determined to be service connected and that's gotten worse

You'll need to submit current evidence from a medical professional that shows your disability has gotten worse.

Submit at least one of these types of documents:

- Medical records or medical opinions from health care providers
- Lay evidence, like a buddy statement (VA Form 21-10210)

Note: We require only one of these types of documents, but you may submit both medical records and lay evidence if you'd like.

Secondary service-connected claim—a claim for a new disability that's linked to a service-connected disability you already have

You'll need to submit medical or lay evidence that shows these are true:

- You have a new physical or mental condition, and
- There's a link between the new condition and the disability we've already determined is service connected. Usually we need medical records or medical opinions from health care providers to support this link. In certain circumstances, we may also accept lay evidence, like a buddy statement (VA Form 21-10210).

Note: If you already have a service-connected disability because one of your lower limbs was amputated at or above the knee, or both of your lower limbs were amputated at or above the ankles, and your new disability is a cardiovascular condition, we may conclude there's a link between the two disabilities even if there's no evidence.

Supplemental claim—a claim to provide new evidence for a disability claim we denied in the past

If you have new and relevant evidence to support your denied claim

You'll need to submit new and relevant evidence that you think will change our decision:

- **New evidence** is information you didn't submit to us in the past.
- **Relevant evidence** is information that proves or disproves something in your claim.

We can also help you gather documents from a VA medical center, other federal facility, or your private health care provider. You'll need to provide the name of the facility that treated you and the treatment dates.

If you have a presumptive condition now covered because of a change in law

You'll need to submit or identify these types of evidence:

- Medical records that show the diagnosis and severity of your claimed condition, and
- Military records that show you meet the service requirements for the presumption

If you have qualifying military service for a presumptive condition, you don't need to prove that your service caused the condition. We automatically assume (or "presume") that your service caused your condition.

Learn more about presumptive conditions based on exposure to toxic materials:

- Burn pits during Gulf War service
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/specific-environmental-hazards)
- Agent Orange during Vietnam Era service
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/agent-orange)
- <u>Mustard gas or lewisite</u>
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/mustard-gas-lewisite)
- <u>Contaminated water at Camp Lejeune</u>
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/camp-lejeune-water-contamination)
- <u>Ionizing radiation</u>
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/ionizing-radiation)

Learn more about different types of presumptive conditions:

- <u>Certain conditions for former prisoners of war</u>
 <u>(https://www.va.gov/disability/eligibility/former-pows)</u>
- <u>Certain illnesses linked to Gulf War service in Afghanistan</u>
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/gulf-war-illness-afghanistan)

- <u>Certain illnesses linked to Gulf War service in Southwest Asia</u>
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/gulf-war-illness-southwest-asia)
- <u>Certain other illnesses diagnosed within a year after discharge</u>
 (https://www.va.gov/disability/eligibility/illnesses-within-one-year-of-discharge)

<u>Learn more about Supplemental Claims</u>
(https://www.va.gov/decision-reviews/supplemental-claim)

Additional evidence for certain issues

Find out what evidence you can submit for a claim related to military sexual trauma (MST).

<u>Learn about evidence to support an MST claim</u>
(https://www.va.gov/resources/military-sexual-trauma-and-disability-compensation#evidence-well-need-for-your-cl)

Find out what additional evidence you'll need if you're filing a claim for any of these other issues:

Posttraumatic stress disorder (PTSD) and other mental health conditions

You'll also need to submit a completed Statement in Support of Claimed Mental Health Disorder(s) Due to an In-Service Traumatic Event(s) (VA Form 21-0781).

Get VA Form 21-0781 to download (https://www.va.gov/find-forms/about-form-21-0781)

<u>Learn more about PTSD claims</u>
(https://www.va.gov/disability/eligibility/ptsd)

Individual Unemployability

You'll need to submit these additional forms:

forms/about-form-21-4192)

- A completed Veteran's Application for Increased Compensation Based on Unemployability (VA Form 21-8940)
 Get VA Form 21-8940 to download (https://www.va.gov/find-forms/about-form-21-8940)
- A completed Request for Employment Information in Connection with Claim for Disability Benefits (VA Form 21-4192), completed by your last employer
 Get VA Form 21-4192 to download (https://www.va.gov/find-

You'll need to submit medical evidence that shows a service-connected disability prevents you from getting or keeping substantially gainful employment (work that brings in enough money to earn a livelihood). Odd jobs (marginal employment) or jobs with an annual gross income less than the federal poverty threshold for one person typically don't count as substantially gainful employment.

If you're filing a claim to get a disability rating that's higher than our maximum rating for a specific disability (also called an "extraschedular rating"), you'll need to submit additional evidence. Your evidence must show that your disability causes such severe or unusual disruptions to your life that our standard ratings don't adequately describe them.

<u>Learn more about Individual Unemployability</u>
(https://www.va.gov/disability/eligibility/special-claims/unemployability)

Temporary 100% disability rating

You'll need to submit evidence that shows you experienced at least one of these situations at a hospital:

- You spent more than 21 days in a VA hospital or other approved hospital for a service-connected disability, or
- You were under hospital observation for more than 21 days at our expense for a service-connected disability

If you had surgery, you'll need to submit evidence that shows these descriptions are true:

- Your surgery required a recovery time of at least one month (or the surgery or treatment was for a service-connected disability), and
- Your surgery resulted in severe issues for you. This could include surgical wounds that haven't totally healed, stumps or recent amputations, being unable to move due to being put in splints or casts, being unable to leave your house, or having to use a wheelchair or crutches.

If you didn't have surgery, you'll need to show that one or more of your major joints was immobilized by a cast.

<u>Learn more about temporary 100% disability benefits</u> (https://www.va.gov/disability/eligibility/special-claims/temporary-increase-after-surgery-or-cast)

Presumptive condition

You'll need to submit or identify these types of evidence:

- Medical records that show the diagnosis and severity of your claimed condition, and
- Military records that show you meet the service requirements for the presumption

If you have qualifying military service for a presumptive condition, you don't need to prove that your service caused the condition. We automatically assume (or "presume") that your service caused your condition.

Learn more about presumptive conditions based on exposure to toxic materials:

- <u>Burn pits during Gulf War service</u>
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/specific-environmental-hazards)
- Agent Orange during Vietnam Era service
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/agent-orange)
- <u>Mustard gas or lewisite</u>
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/mustard-gas-lewisite)
- <u>Contaminated water at Camp Lejeune</u>
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/camp-lejeune-water-contamination)
- <u>lonizing radiation</u>
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/ionizing-radiation)

Learn more about different types of presumptive conditions:

- <u>Certain conditions for former prisoners of war</u>
 <u>(https://www.va.gov/disability/eligibility/former-pows)</u>
- <u>Certain illnesses linked to Gulf War service in Afghanistan</u>
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/gulf-war-illness-afghanistan)
- <u>Certain illnesses linked to Gulf War service in Southwest Asia</u>
 (https://www.va.gov/disability/eligibility/hazardous-materials-exposure/gulf-war-illness-southwest-asia)
- <u>Certain other illnesses diagnosed within a year after discharge</u>
 (https://www.va.gov/disability/eligibility/illnesses-within-one-year-of-discharge)

These tropical diseases are also presumptive conditions:

- Amebiasis
- Blackwater fever
- Cholera
- Dracontiasis
- Dysentery

- Filariasis
- Leishmaniasis, including kala-azar
- Loiasis
- Malaria
- Onchocerciasis
- Oroya fever
- Pinta
- Plague
- Schistosomiasis
- Yaws
- Yellow fever
- Conditions that develop as a result of treatments related to any of these diseases

VA Title 38 U.S.C. 1151 claims

You'll need to submit evidence that shows at least one of these led directly to an added disability or to your injury or disease getting worse:

- VA hospitalization, or
- VA medical or surgical treatment, or
- A VA health exam, or
- VA training

The evidence must also show one of these descriptions is true:

- Your disability was the direct result of carelessness, negligence, lack of proper skill, error in judgment, or other fault of VA, or
- Your disability wasn't a reasonably expected result or complication of the VA care or treatment you received, or
- Your disability was the direct result of participating in a VA
 Veterans Readiness and Employment or compensated work therapy program

<u>Learn more about VA Title 38 U.S.C. 1151 claims</u>
(https://www.va.gov/disability/eligibility/special-claims/1151-claims-title-38)

Seriously disabled child

You'll need to submit medical evidence that shows the child became permanently disabled because of a physical or mental disability before their 18th birthday.

Note: In order to be eligible for additional compensation for a seriously disabled child, you must have a combined disability rating of 30% or more.

Additional evidence for certain benefits

Find out what additional evidence you'll need if you're filing a claim for any of these benefits:

Aid and Attendance benefits and Housebound allowance

You'll need to submit one of these forms:

 An Examination for Housebound Status or Permanent Need for Regular Aid and Attendance (VA Form 21-2680)
 Get VA Form 21-2680 to download (https://www.va.gov/find-forms/about-form-21-2680)

or

 If you're in a nursing home, a Request for Nursing Home Information in Connection with Claim for Aid and Attendance (VA Form 21-0779)

<u>Get VA Form 21-0779 to download (https://www.va.gov/find-forms/about-form-21-0779)</u>

If you're applying for Aid and Attendance benefits for yourself, you'll also need to submit evidence that shows one of these

descriptions is true:

- You need another person to help you perform daily activities, like bathing, feeding, and dressing, or
- You have to stay in bed—or spend a large portion of the day in bed
 because of your disability

If you're applying for Aid and Attendance benefits for your spouse, you'll also need to submit evidence that shows one of these descriptions is true:

- Your spouse needs another person to help them perform daily activities, like bathing, feeding, and dressing, or
- Your spouse is a patient in a nursing home due to the loss of mental or physical abilities related to a disability, or
- Your spouse has limited eyesight (even with glasses or contact lenses they have only 5/200 or less in both eyes; or concentric contraction of the visual field to 5 degrees or less)

Note: To be eligible for increased compensation based on your spouse's need for Aid and Attendance benefits, you must have a combined disability rating of 30% or more.

For Housebound benefits, you'll also need to submit evidence that shows these descriptions are true:

- You have a single service-connected disability rated at 100% disabling and another service-connected disability rated at 60% or more disabling, or
- You have a single service-connected disability rated at 100% disabling, and you're permanently confined to your home most of the time

<u>Learn more about Aid and Attendance benefits and Housebound</u> <u>allowance (https://www.va.gov/pension/aid-attendance-housebound)</u>

Automobile allowance and adaptive equipment

You'll need to submit an Application for Automobile or Other Conveyance and Adaptive Equipment (VA Form 21-4502)

Get VA Form 21-4502 to download (https://www.va.gov/find-forms/about-form-21-4502)

You'll also need to submit evidence that shows you have at least one of these service-connected disabilities:

- The loss, or permanent loss of use, of one or both feet, or
- The loss, or permanent loss of use, of one or both hands, or
- Permanent decreased vision in both eyes: 20/200 vision or less in your better eye with glasses, or greater than 20/200 vision but with a visual field defect that has reduced your peripheral vision to 20 degrees or less in your better eye, or
- A severe burn injury, or
- Amyotrophic lateral sclerosis (ALS), or
- Ankylosis in one or both knees or hips (Note: This qualifies you for an adaptive-equipment grant only)

<u>Learn more about automobile allowance and adaptive equipment</u>
(https://www.va.gov/disability/eligibility/special-claims/automobile-allowance-adaptive-equipment)

Specially Adapted Housing or Special Home Adaptation

You'll need to submit both of these:

 Evidence that shows you're a Veteran or service member with a qualifying permanent and totally disabling service-connected disability

<u>Find out if you have a qualifying service-connected disability</u> (https://www.va.gov/housing-assistance/disability-housing-grants)

and

 An Application in Acquiring Specially Adapted Housing or Special Home Adaptation Grant (VA Form 26-4555)

<u>Get VA Form 26-4555 to download (https://www.va.gov/find-forms/about-form-26-4555)</u>

<u>Learn more about disability housing grants</u>
(https://www.va.gov/housing-assistance/disability-housing-grants)

Explore your options for gathering evidence

Fully developed disability claims

With the Fully Developed Claims program, you send in all the evidence you have—or can easily get—when you file your claim. Find out how you can use this program to get a faster decision on your disability benefits claim.

Standard disability claims

With standard claims, we take more responsibility for gathering the evidence we need to make a decision on your claim. Find out how to file a standard disability claim.

Last updated: July 2, 2025